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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,655	02/26/2002	Yoshihiro Yamaguchi	450100-03798	2840

20999 7590 05/04/2005

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EXAMINER

ZHOU, TING

ART UNIT PAPER NUMBER

2173

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,655

Applicant(s)

YAMAGUCHI ET AL.

Examiner

Ting Zhou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The amendment filed on 3 February 2005 have been received and entered. Claims 1-7 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee U.S. Patent 5,999,169 and the article "Improving PC Ease of Use: A Report from the Ease of Use/PC Quality Roundtable", February 2000 (hereinafter "article").

Referring to claims 1, 5, 6 and 7, Lee teaches an information processing device, method, recording medium and program comprising server means for monitoring an operation notification by the input device (the computer GUI receives an input command signal) (Lee: column 2, lines 63-67 through column 3, line 1) and determining and executing the operation based on the operation notification (upon receiving an input signal, the signal is demultiplexed into a first and second signal to determine the two-dimensional movement of the input and the input is operated according to the determined two-dimensional movement) (Lee: column 3, lines 8-38), wherein the server means loads, at the time of start-up, a script file describing a status transition of the input device in the script language, reads the status transition corresponding to

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the operation of the input device, and executes the operation corresponding to the read status transition thus read (upon receiving input signals from input devices such as a mouse or a TrackPoint device, the GUI's support software handles the signals by sending the signals to a mouse driver which demultiplexes the signals to represent two dimensional movements of the input device, thus providing the appropriate outputs, such as scrolling up/down, moving forward/backward, etc.) (Lee: column 3, lines 24-41 and column 4, lines 20-59). However, Lee fails to explicitly teach information relating to incompatible applications that are to be executed. The article teaches an information processing device for carrying out processing based input operations by a user (GUI based personal computers) similar to that of Lee. In addition, the article further teaches loading a script file at the time of start-up of information relating to incompatible applications that are to be executed (at the time of start-up, i.e. at boot time or at the time of installation, alerting the user of known/potential conflicts such as incompatible files by loading a script file, i.e. implementing a check or DLL/driver management system describing information about incompatible files) (article: pages 8 and 10-11). It would have been obvious to one of ordinary skill in the art, having the teachings of Lee and the article at the time the invention was made, to modify the input based information processing device of Lee to include the detection and user notification of information relating to incompatible application at the time of start-up taught by the article. One would have been motivated to make such a combination in order to alert users of potential problems and/or conflicts that may occur as a result of the input operation, thus providing a reliable fail-safe environment that ensures everything works.

Referring to claim 2, Lee teaches the operation corresponding to the status transition read from the script file loaded by the server means is a display related to a graphical user interface of

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the input device (the mouse driver provides a user interface window in which displayed symbols can be operated based on received signals) (column 3, lines 24-37 and column 5, lines 10-53).

Referring to claim 3, Lee teaches the display related to the graphical user interface includes a first display status for displaying what processing the information processing device can currently carry out in accordance with the operation using the input device (for example, the GUI displays a special function sub-window, such as a magnifier, which shows the magnification of the GUI content which appears on the display in the position where the magnifier is located, which can be moved in the up/down and left/right directions) (column 3, lines 36-37 and column 6, lines 54-67 through column 7, lines 1-10), and a second display status for displaying a list of items which can be executed on the information processing device in accordance with the operation of the input device (the displayed user interface window includes a bank of functions allowing the user to select which function the selected user input is to apply to) (column 5, lines 41-53).

Referring to claim 4, Lee teaches the first display status is a guide status for guiding the operation of an application program (guiding the operation of a displayed symbol based on the received signals, including guiding the operation of moving forward/backward through a sequence of displayed frames, moving a cursor over the GUI display in the up/down and left/right direction, moving a special function sub-window over the GUI, etc.) (column 3, lines 23-37 and column 6, lines 54-67) and the second display status is a list view status for displaying a list of application programs to be selected (the GUI window displaying a list of functions and controls for allowing the user to select which one of the desired functions the user input is to apply to) (column 5, lines 41-53).

Response to Arguments

3. Applicant's amendments to the claims have overcome the claim objection and 112 rejection made in the previous office action mailed on 2 November 2004.

4. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

5. In the interest of fully examining and expediting prosecution, the arguments will be addressed. The applicant asserts that Lee does not teach a server means that loads, at the time of start-up, a script file describing a status transition of the input device in the script language and information relating to incompatible applications that are to be executed. Lee teaches that the GUI software includes a tag identifying the input and sends the received input signals along with the identified tag and a message representative of the movement signal, i.e. status transition of the output such as what output movements the input should produce, to a mouse driver; the received input signal along with the tag and message identifying the corresponding status transitions (movements that should be produced) are demultiplexed to provide the corresponding outputs, as recited in column 3, lines 1-37 and column 4, lines 28-59. Although Lee does not explicitly teach loading, at the time of start-up, a scrip file describing information relating to incompatible applications, along with the status transitions of the input signal, the article teaches that the system implements a check or DLL/management system identifying incompatible files upon installation, thus alerting the user of potential files that can cause conflicts and/or problems.

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Since the system taught by the article is also an input/GUI based information processing device (i.e. a personal computer communicating and interacting with the user) similar to the input-based information processing device taught by Lee, it would have been obvious to combine the two teachings in order to alert users of potential problems or conflicts that may occur as a result of the input operation, thus providing a reliable fail-safe environment that ensures everything works:

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



RAYMOND J. BAYERL
PRIMARY EXAMINER
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